

09/701908

Express Mail Label No. EL698178602US



01517

PATENT, TRADEMARK OFFICE

DOCKET: CU-2409

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Christoph HELLER et al )  
SERIAL NO: 09/701,908 ) Group Art Unit:  
TITLE: DEVICE AND METHOD FOR MINIATURIZED, )  
HIGHLY PARALLEL ELECTROPHORETIC )  
SEPARATION )  
COMPLETION OF PCT/EP99/03834 filed 02 June 1999 )

The Assistant Commissioner for Patents (DO/EO/US)  
Box PCT  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
& SUBMITTAL OF COMBINED DECLARATION & POWER OF ATTORNEY**

Dear Sir:

This is in response to the Notification of Missing Requirements (Form PCT/DO/EO/905) dated December 22, 2000, a copy of which is attached herewith.

Applicant submits herewith the following materials:

1. Combined Declaration & Power of Attorney signed by the first inventor, Christoph Heller
2. Combined Declaration & Power of Attorney signed by the second and third inventors, Holger Eickhoff and Sven Behr
3. Substitute sheet 2 of the drawings containing Figures 3 and 4 which has been properly translated

The applicant claims small entity status (see 37 CFR 1.27).

Enclosed is check in the amount of \$195 to cover the government fees for late filing of the Combined Declaration & Power of Attorney as well as the translation of the drawings, based on the small entity status of the applicant.

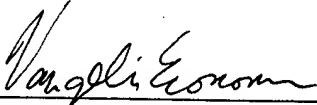
Should any additional fee be deemed necessary, the Commissioner is authorized to charge our Deposit Account No. 12-0400.

Respectfully submitted,

January 22, 2001

Date

149

  
\_\_\_\_\_  
Attorney for Applicant

Vangelis Economou, Reg. 32341  
c/o Ladas & Parry  
224 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 427-1300



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	2001 JAN 5 PM 1:48	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701908	HELLER	C	CU 2409 VE
LADAS & PARRY 224 SOUTH MICHIGAN AVENUE SUITE 1200 CHICAGO, IL 60604		INTERNATIONAL APPLICATION NO. PCT/EP99/03834	
		I.A. FILING DATE	PRIORITY DATE
		02 JUN-99	10 JUN 98
		DATE MAILED: 22 DEC 2000	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☒ a non-English language.
  - ☐ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 05 DEC 2000 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☒ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report and copies of the references cited therein.
- ☐ Other:

VE  
1-5-01  
e

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917 ☒ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Winston M Alvarado

Telephone: 703-305-6421



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.

ATTACHMENT TO FORM PCT/DO/EO/

09/701908

### NOTICE OF DEFECTIVE TRANSLATION

The received translation is defective because:

- ☒ (1) The text in the drawings has not been properly translated;
- ☐ (2) The number of claims in the International Application and the number of claims in the translation are not the same;
- ☐ (3) The translation of the International Application is incomplete as a number of pages are missing;
- ☒ (4) Other.

The foreign text in Drawing #2 needs to be translated.

Winston M Alvarado

Telephone: 703-305-6421